

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA)

v.)

CHRISTOPHER McCARTY)

Case No. 5:24-MJ-570 (ML)

Defendant)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of May 31, 2023 in the county of Cayuga in the Northern District of New York the defendant(s) violated:

Code Section
18 U.S.C. 876(c)

Offense Description
Mailing Threatening Communications

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

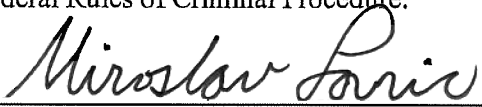

Complainant's signature

FBI TFO William Neumeister

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: December 9, 2024


Judge's signature

City and State: Binghamton, New York

Hon. Miroslav Lovric, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Task Force Officer William Neumeister, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I, TFO William Neumeister, have been employed by the New York State Department of Correction and Community Supervision (NYSDOCCS) for seventeen years.
2. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516(1). As a federal agent / task force officer, I am authorized to seek and execute federal arrest and search warrants for Title 18 criminal offenses, including offenses related to the mailing of threats in violation of Title 18, United States Code, Section 876(c).
3. I make this affidavit in support of a criminal complaint charging Christopher McCarty with one count of Mailing Threatening Communications, in violation of Title 18, United States Code, Section 876(c).
4. I have spoken with other law enforcement agents from the FBI and the New York State Department of Corrections and Community Supervision who have personally participated in the investigation of the offense discussed below. I am familiar with the facts and circumstances of this investigation from my conversations with those agents, my review of documents, my training and experience, and discussions I have had with other law enforcement

personnel concerning criminal violations relating to the mailing of threatening communications. As this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that Christopher McCarty has violated Title 18, United States Code, Section 876(c).

**THE INVESTIGATION AND FACTUAL BASIS FOR THE REQUESTED
CRIMINAL COMPLAINT**

NYSDOCCS Inmate Christopher McCarty

5. On or about November 17, 2021, Christopher McCarty was convicted in Bronx County Supreme Court of Robbery, Third Degree, in violation of New York State Penal Law, Section 160.05 (a class D felony). On or about November 17, 2021, McCarty was sentenced to a two year to four year indeterminate term of imprisonment.

6. In connection with the litigation of Christopher McCarty's Robbery case as described above, he made numerous court appearances before a variety of New York State Supreme Court Justices in Bronx County, to include Jane Doe #1 and John Doe #1. Jane Doe #1 is the Judge who imposed McCarty's sentence on his Robbery conviction.

7. Following McCarty's sentencing on November 17, 2021, he was initially committed to NYSDOCCS's Auburn Correctional Facility in Auburn, New York (Cayuga County). On or about July 6, 2024, McCarty was transferred to NYSDOCCS's Sing Sing Correctional Facility in Ossining, New York (Westchester County).

The New York State Governor's Office's Receipt of a Mailed Letter Containing a Threat of Violence Against Jane Doe #1 and John Doe #1

8. In about June, 2023, the New York State Governor's Office in Albany, New York received, via the U.S. Mail, an envelope addressed to "Kathy Hochul governor[,] The executive

chamber capitol[,] Albany, 12224". The envelope was opened by Governor Hochul's staff members and found to contain a single-page handwritten letter, dated May 31, 2023, and signed by Christopher McCarty.

9. In the May 31, 2023 letter written by McCarty, he began the letter by writing "Hello Ms. Kathy I'm writing this letter because I just want to inform when I come home I'm going to kill the judge bitch and the man judge for giving me time . . ." The letter continued with McCarty writing "I'm a gangasta [sic] not a bitch I'm a very violent person and if those judges think I'm playing watch when I come home I will make them a living hell and that's a promise . . ." Near the end of the letter, McCarty wrote "I'm writing this letter to you so when I go home and I killed them at least you can say that I gave a warning plain and simple so just keep in mind that everything I'm saying is going to happen believe me cause it's the truth . . ."

Christopher McCarty's Interview of July 13, 2023

10. On July 13, 2023, NYSDOCCS Investigator Krystal Barbero travelled to Sing Sing Correctional Facility in an effort to try and interview McCarty about the threatening letter he was suspected of mailing on or about May 31, 2023.

11. McCarty met with Investigator Barbero on July 13, 2023, and after signing a *Miranda* rights advisement, agreed to speak with Investigator Barbero.

12. During the interview, McCarty said a variety of things, to include:

- a. That he wrote the letter in June [2023];
- b. That he does not remember the names of the judges in his Robbery case;
- c. That he is still upset about the sentence imposed in his Robbery case;
- d. That if given the opportunity to kill the judges, he would do it; and
- e. That he is "really serious" about the threats in his letter.

CONCLUSION


13. Based on the above information, I believe that probable cause exists to find that Christopher McCarty has violated Title 18, United States Code, Section 876(c), in that on or about May 31, 2023, in the Northern District of New York, the defendant, Christopher McCarty, did knowingly and willfully deposit in an authorized depository for mail matter, to be sent and delivered by the Postal Service, a communication, dated May 31, 2023, addressed to New York State Governor Kathy Hochul at an address in Albany County, New York, and containing a threat to injure Jane Doe #1 and John Doe #1, in violation of Title 18, United States Code, Section 876(c). Accordingly, I request that a criminal complaint and arrest warrant be issued pursuant to this violation of federal law.

Respectfully submitted,
Attested to by the Affiant



William Neumeister
Task Force Officer Albany FBI

I, the Honorable Miroslav Lovric, United States Magistrate Judge, hereby acknowledge that this affidavit was attested to by the affiant by telephone on December 6th, 2024 in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Hon. Miroslav Lovric
United States Magistrate Judge
Northern District of New York